

HOUSE No. 2871

By Mr. Smizik of Brookline, petition of Frank I. Smizik and others concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to fresh air and the outdoors. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

PETITION OF:

Frank I. Smizik	Barbara A. L'Italien
Deborah D. Blumer	Jennifer M. Callahan
Ellen Story	Anne M. Paulsen
Kay Khan	Richard R. Tisei
Andrea F. Nuciforo, Jr.	Joyce A. Spiliotis
Rachel Kaprielian	Steven A. Tolman
Patricia D. Jehlen	Benjamin Swan

In the Year Two Thousand and Five.

AN ACT CONCERNING THE RIGHT OF PERSONS RECEIVING SERVICES FROM PROGRAMS OR FACILITIES OF THE DEPARTMENT OF MENTAL HEALTH TO DAILY ACCESS TO FRESH AIR AND THE OUTDOORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 23 of Chapter 123 of the General Laws as appearing in
2 the 2002 Official Edition, is hereby amended by inserting after
3 subsection (e) the following subsection: (f) The right to daily
4 access to fresh air and the outdoors.

5 Said Section 23 of Chapter 123 as appearing is hereby further
6 amended by striking out the letter (c) and inserting in place
7 thereof the following: (f)

8 The third paragraph of Section 23 of Chapter 123 is hereby
9 amended by inserting in sentence one after the letter (c) the
10 wording: and (f).

11 The third paragraph of Section 23 of Chapter 123 is hereby
12 amended by inserting after sentence one the following sentence:

13 The signing of a three-day notice shall not constitute a basis for
14 suspending the rights set forth in clause (f).
15 The third paragraph of Section 23 of Chapter 123 is hereby
16 amended by inserting in sentence two after the word suspension
17 the words: of any right.